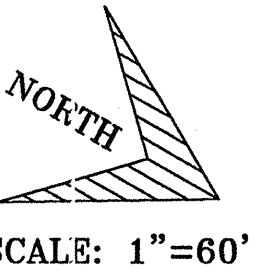


LOCATION MAP
NOT TO SCALE

INTERIM REVIEW ONLY
DOCUMENT INCOMPLETE: NOT INTENDED
FOR PERMIT, BIDDING OR CONSTRUCTION.
ENGINEER: DAVID L. ALLEN
P. E. REG. NO. 66073
DATE: May 07, 2004



SCALE: 1"=60'

04 MAY 10 11:28

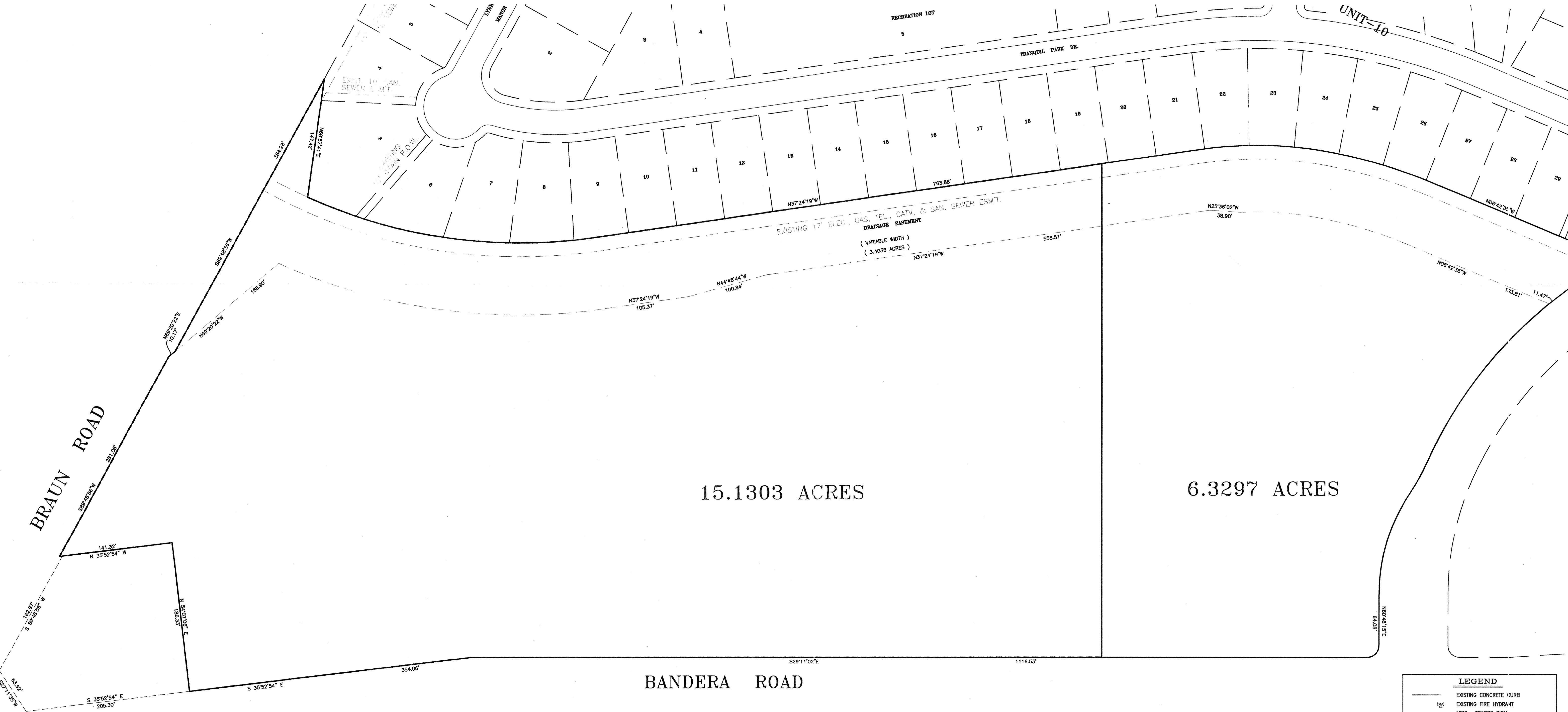
MACINA • BOSE • COPELAND & ASSOC., INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 Fax (210) 545-9302
www.mbcengineering.com



EXHIBIT
BRAUN ROAD AT BANDERA ROAD
SAN ANTONIO, TEXAS

REVISIONS:	DATE	DESCRIPTION	BY

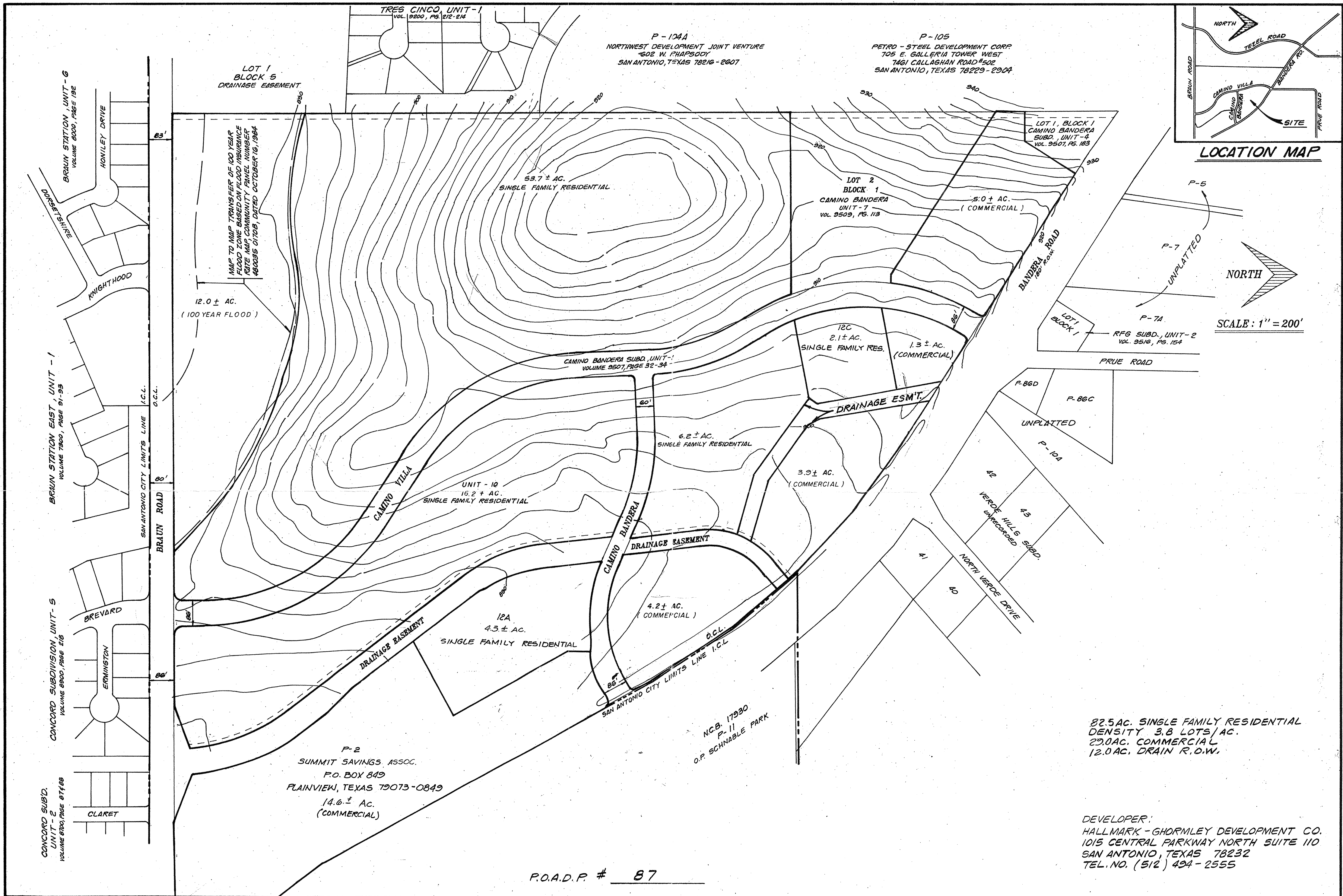
DESIGN: ---
DRAWN: SEO
CHECKED: DLA
DATE: May 07, 2004
JOB NO: 28812-0973
SHT: C1



LEGEND	
---	EXISTING CONCRETE CURB
+	EXISTING FIRE HYDRANT
o	MISC. TRAFFIC SIGN
o	GUARD POST
x	LIGHT POLE
o	POWER POLE
o	MANHOLE
o	GUY WIRE ANCHOR
o	EXISTING S:
o	H-HACKBERRY
o	OAK-OAK
o	CB-CHINA BERRY
o	P-PERSIMMON
o	E-ELM
o	A-ASH
o	LIMITS OF CANOPY

Date: May 07, 2004, 10:29am User: d. sondrias
File: P:\0814\28812-Commbandra Design\0814\01.dwg

VRP# 04-05-113



REVISIONS			
DATE	NO	DESCRIPTION	BY
12/10/93	1	ADDED UNIT 12A, 12C & P-2 (COMMERCIAL)	

DESIGN	RWB
DRAWN	JLR
CHECKED	
DATE	C-5227
JOB NO	1
SHT.	1

P.O.A.D.P. # 87

CAMINO BANDERA

PRELIMINARY OVERALL AREA DEVELOPMENT PLAN

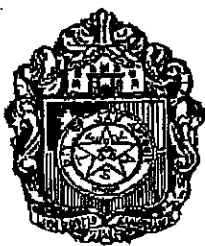
MACINA • BOSE • COPELAND & ASSOC., INC.

CONSULTING ENGINEERS AND LAND SURVEYORS

415 Breesport Drive, San Antonio, Texas 78216

(512) 349-0151

VRP# 04-05-113

Permit File # 04-05-113

City of San Antonio
Development Services Department
Vested Rights Permit/Consent Agreement
APPLICATION

Permit File: # 04-05-113

Assigned by city staff

Date: 05-05-04☒ Vested Rights Permit☐ Consent Agreement

1. All applicable information on application must be legibly printed or typed for processing. If application is completed on behalf of the property owner please attach power of attorney or letter of agent.
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.

*Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.*

(a) Owner/Agent: Duke, Inc.Phone: (972) 241-4242Fax: (210) 241-4282Address: 11234 Goodnight Lane, Ste: 200City: DallasState: TexasZip code: 75229Engineer/Surveyor: Macina, Bose, Copeland and Associates, Inc.Address: 1035 Central Parkway NorthCity: San AntonioState: TexasZip code: 78232Name of Project: Camino Bandera

(b) (k) Site location or address of Project and Legal description:

Northwest corner of Bandera Road and Braun Road; 15.1303 acres of land out of a portion of 332.834 acres out of the Jose Alameda Survey No. 81, Abstract No. 26, County Block 4017 as recorded in Volume 6987, Pages 267-271 of the Deed Records of Bexar County, Texas.

5/7/04

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Permit File # 09-05-113Council District 7 ETJ No Over Edward's Aquifer Recharge? () yes (X) no

3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet Approximately 653,400 Square Feet(e) Total area of impervious surface, in square feet Approximately 555,390 Square Feet(f) Number of residential dwellings units, by type; ± 19 Buildings, ± 240 Apartment Units(g) Type and amount of non-residential square footage; 0(h) Phases of the development, (If Applicable); 1-Phase4. What is the date the applicant claims rights vested for this Project? 01-25-84

- (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

4a. What, if any, construction or related actions have taken place on the property since that date?

None5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*PERMIT

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Expiration Date: _____ Acreage: _____

Permit File # 04-05-113

• **MASTER DEVELOPMENT PLAN (MDP)** (Formerly POADP)*

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: Camino Bandera # 87
Date accepted: 01-25-84 Expiration Date: N/A MDP Size: 123.5 acres

• **P.U.D. PLAN**

Name: _____ # _____
Date accepted: _____

• **Plat Application**

Plat Name: _____ Plat # _____ Acreage: _____
Date submitted: _____ Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

• **Approved Plat**

Plat Name: _____ Plat # _____ Acreage: _____ Approval
Date: _____ Plat recording Date: _____ Expiration Date: _____ Vol./Pg. _____

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

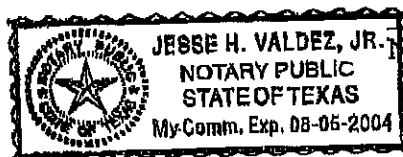
• **Other**

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print names: Don W. Miller (Agent) Signature: [Signature] Date: 05-06-04

Subscribed to and subscribed before me by DON W. MILLER on this 7th day
of May in the year 2004, to certify which witness my hand and seal of office.



Notary Public, State of Texas

5/7/04

PA087428861-CaminoBandera\Letters\Vested Rights Permit 050704.doc



City of San Antonio

Vested Rights Permit APPLICATION

Permit File: #VRP 04-05-113 Resubmittal

Received: August 18, 2004

RECOMMENDATION OF THE CITY ATTORNEY'S OFFICE

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

*Not Subject To Disclosure
Under Any Open Records or Public Disclosure Law*

The City Attorney's Office recommends the Development Services Department decide this application in the following manner:

X Approval ☐ Disapproval ☐ Return to Applicant

Again, this is the recommendation of the City Attorney's Office. It is not and shall not be taken as nor substituted for the decision of the Director of the Development Services Department.

Reviewed By:


Norbert J. Hart
Assistant City Attorney

Date: September 16, 2004

Comments: Recommend approval for 240 multi-family units effective January 25, 2004.

June 23, 2004

Mr. Michael Herrera
City of San Antonio
Development Services
1901 S. Alamo
San Antonio, Texas 78204

RE: Camino Bandera - Vested Rights Permit

Dear Mr. Herrera:

This letter is being prepared as a response to the comments received concerning the Vested Rights Permit for Camino Bandera (Permit File #04-05-113).

The first plat "Camino Bandera Subdivision, Unit-1", 14.863 acres and Camino Bandera, Unit-7 7.0 acres were both approved within the 18 month time frame and represents an area greater than 8% of the net area of the POADP.

Subsequent tracts totaling more than 50% of the net area of this POADP have been platted within 10 years of the POADP approval date.

Hopefully this letter will address the comments as to the validity of this POADP pertaining to adequate development within the time frame and percentage required as a matter of law.

Please review and process the VRP at your earliest possible convenience. If you have any questions or need additional information, please call our office.

Sincerely,

MACINA · BOSE · COPELAND AND ASSOCIATES, INC.

DON W. MILLER
Engineering Technician

DWM/lk

#28861-0874
Attachment

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SO 2 WD 81 008 40

OFFICE OF DIRECTOR
DEPT. OF PLANNING
CITY OF SAN ANTONIO